



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 956 of 2026

Jothi

W/o. Jothinathan, No.293-2,
Kaliyamman Kovil Street,
Oraiur post, Oraiur,
Cuddalore, Tamil Nadu 607 108.

..Petitioner

Vs

1. The State represented by
The Inspector General of Registration,
The Register Head office, No.100,
Santhome High Road, Pattinapakkam,
Santhome, Raja Annamalaipuram,
Chennai, Tamil Nadu 600 028.
2. The Deputy Registrar, Jt.II Sub Registrar office
No.5, Kesavan nagar,
Thirupapuliyur, Cuddalore 607 002.
3. The Sub Registrar
Sub Registrar's office, Pudupettai,
Arasur Main road, Near Police
Station, Pudupettai 607 108.



4. The District Collector

The Cuddalore office,
PB No.27, Second Floor,
Room no.307, Collector office road,
Dhanalakshmi Nagar Extension,
Tamil nadu 607 001.

5. The District Registrar

The Cuddalore DRO office,
Sub Jail road, Manjakuppam,
Cuddalore, Tamil Nadu 607 001.

6. Arul Prakash

No.320(5), Balamurugan Kovil Street,
Oraiyr, Panrutti, Cuddalore, Tamil Nadu.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 26.05.2025 for to conduct proper enquiry and cancel the Sale deed in the 6th respondent name (Arul Prakash) in Old Survey no.106/11A as per Natham No.106/11A2B, Pudupettai taluk, Oraiyr village, within a time frame as may be fixed by this Honourable Court.

For Petitioner:

Mr. AR.Prabudevan

For R1 to R5:

Mr. Stalin Abhimanyu, AGP



ORDER

Asserting that the petitioner is the owner of the immovable property described in paragraph 3 of the affidavit, the petitioner submitted a representation to the registering officer to cancel sale deed in favour of the sixth respondent. The present writ petition relates thereto.

2. Learned counsel for the petitioner submits that the sale deed in favour of the sixth respondent was registered without examining whether the executant was entitled to do so and without taking note of Will dated 02.09.2004. Therefore, he submits that the sale deed in favour of the sixth respondent is liable to be cancelled.

3. Mr. Stalin Abhimanyu, learned Additional Government Pleader, accepts notice for respondents 1 to 5. He submits that the representation of the petitioner pertains to cancellation of the sale deed, and that the registering officer does not have the power to cancel the sale deed. He also points out that the petitioner was informed that the registering officer does not have the power of cancellation under communications issued on 29.05.2025 and 20.06.2025.

4. As submitted by learned Additional Government Pleader, the registering officer does not have the power to cancel a registration. The



petitioner asserts that title to the property vests in the petitioner on the basis of Will dated 04.09.1997. Evidently, the 6th respondent asserts a rival claim.

Therefore, disputed questions pertaining to title arise for consideration and these matters cannot be appropriately addressed in proceedings under Article 226 of the Constitution of India. The petitioner appears *prima facie* to be within the period of limitation. Leaving it open to the petitioner to approach a jurisdictional civil court for relief, the writ petition stands disposed of without any order as to costs.

10-02-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

KJ

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